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In re Application of:

Stephen C. Clark et al

Serial No. 08/466,308

Filed: June 6, 1995

For: RECOMBINANT HUMAN
GRANULOCYTE MACROPHAGE-
COLONY STIMULATING FACTOR
(GM-CSF)

DECISION ON PETITION

This is a decision on the petition, filed March 30, 1998, to withdraw the holding of abandonment. Note, the petition has been treated under the provisions of 37 CFR 1.181.

On July 11, 1997, a non-final Office action was mailed to applicants. On February 11, 1998, a Notice of Abandonment was mailed to applicants which indicated that the application was abandoned in view of applicants' failure to timely file a proper response to the July 11, 1997 Office action. On March 30, 1998, the present petition was filed. The petition asserted that the Office action dated July 11, 1997 was never received.

The petition of March 30, 1998 provided the evidence required by 1156 O.G. 53 in support of the allegation of nonreceipt of the Office action in question. Accordingly, the petition is granted. The application has been returned to a pending status and the Office action of July 11, 1997 remailed herewith, with a response date set to expire three (3) months from the date of this decision.

PETITION GRANTED.

Mary C. Lee, Director
Mary C. Lee, Director
Technology Center 1600

Robert S. Honor
Sandoz Corp.
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